

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-00465-MOC
(3:97-cr-00333-MOC-1)**

LEROY JOSEPH KELLY,)
)
 Petitioner,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

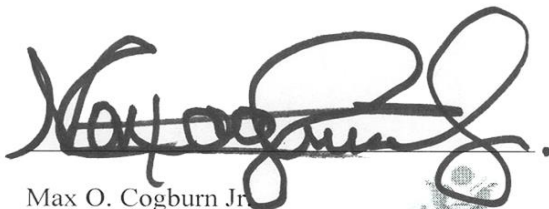
ORDER

THIS MATTER is before the Court on its own motion on the Government's Response to Order to Show Cause [Doc. 25] and the United States Supreme Court's decision in United States v. Davis, No. 18-431.

For the reasons stated in the Court's Show Cause Order [Doc. 24] and on the Government's agreement that the stay in this matter should be lifted [Doc. 25], the Court will lift the stay and order that the Government has 45 days to file its response to the Petitioner's Section 2255 Motion to Vacate [Doc. 1].

IT IS, THEREFORE, ORDERED that the stay in this matter is hereby **LIFTED** and the Government shall have forty-five (45) days from this Order to file its response in this matter.

Signed: December 20, 2019


Max O. Cogburn Jr.
United States District Judge